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**1995/06/29**

CONFIDENTIAL

Date Printed: 01/09/1997

DOC NUMBER: 95B35JTN28303

CHANNEL: n/a

PTQ4001

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ACTION OCS-06

INFO LOG-00 AMAD-01 CA-02 CIAE-00 OASY-00 DODE-00 EAP-01  
EUR-01 FBIE-00 TEDE-00 INR-00 L-01 ADS-00 NSAE-01  
NSCE-00 SSO-00 SS-00 SA-01 DRL-09 /022W

EXCISE

O 291122Z JUN 95

FM AMEMBASSY BEIJING

TO SECSTATE WASHDC IMMEDIATE 9733

INFO AMCONSUL SHENYANG

AMCONSUL SHANGHAI

AMCONSUL HONG KONG

AMCONSUL GUANGZHOU

AMEMBASSY BISHKEK

AMEMBASSY ALMATY

AMCONSUL CHENGDU

DEPARTMENT OF STATE

( ) RELEASE

( ) EXCISE

( ) DENY

( ) DECLASSIFY

( ) DECLASSIFY

IN PART

IM/IPS/CR/IR

Date: 5/27/97

EO Citations:

FOIA Exemptions

PA Exemptions

( ) CLASSIFY as ( ) S or ( ) C Sec. ( ) DOWNGRADE TS to ( ) S or ( ) C

C O N F I D E N T I A L SECTION 01 OF 02 BEIJING 028303

E.O. 12356: DECL: OADR

TAGS: CASC, PREL, PHUM, CH, US

SUBJECT: DEMARCHE TO MFA ON AMCIT HARRY WU'S DETENTION

REP: (A) STATE 156528, (B) BEIJING 27993, (C) STATE 155214

1. CONFIDENTIAL - ENTIRE TEXT.

2. SUMMARY. CHARGE DELIVERED REP A DEMARCHE ON THE  
DETENTION OF AMCIT PETER WU TO MFA CONSULAR AFFAIRS  
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DEPARTMENT DEPUTY DIRECTOR GENERAL PENG KEYU LATE IN THE  
AFTERNOON OF JUNE 29. EMPHASIZING THE CONCERN OVER WU'S  
CASE AT THE HIGHEST LEVELS OF THE USG, CHARGE STRONGLY  
URGED CHINA TO RELEASE WC CR GRANT CONSULAR ACCESS  
IMMEDIATELY. PENG SAID THAT WU'S CASE WAS UNDER

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INVESTIGATION, AND THAT APPROPRIATE AUTHORITIES HAD NOT YET REPLIED TO THE U.S. REQUEST FOR ACCESS. CHARGE INFORMED PENG THAT AN EMBASSY CONSULAR OFFICER WAS ON HIS WAY TO XINJIANG IN ANTICIPATION OF RECEIVING ACCESS. END SUMMARY.

3. AFTER SEVERAL ATTEMPTS TO ARRANGE MEETINGS AT HIGHER LEVELS, CHARGE MET WITH MFA CONSULAR AFFAIRS DEPUTY DIRECTOR GENERAL PENG KEYU LATE IN THE AFTERNOON OF JUNE 29 TO DISCUSS THE DETENTION OF AMCIT PETER WU, AKA HARRY WU. THE CHARGE HAS ACCOMPANIED BY CONSULAR MINISTER-COUNSELLOR AND POLOFF (NOTETAKER). SHORTLY AFTER THE MEETING BEGAN, PENG WAS JOINED BY CONSULAR DEPARTMENT 4TH DIVISION CHIEF FAN ZHENGSHUI.

4. DRAWING ON POINTS CONTAINED IN REF A, THE CHARGE UNDERScoreD THE CONCERN AT THE HIGHEST LEVELS OF THE U.S. GOVERNMENT OVER THE STATUS OF WU AND THE NEED TO GAIN ACCESS TO HIM UNDER THE TERMS OF THE U.S.-CHINA CONSULAR CONVENTION. CHARGE BRIEFLY RECITED THE STATUS OF OUR REQUESTS FOR INFORMATION ABOUT WU'S CASE AND REQUESTS FOR ACCESS MADE TO CHINESE OFFICIALS BOTH IN WASHINGTON AND BEIJING (REFS A, B, C). HE STATED THAT OUR REQUEST FOR FURTHER INFORMATION AND FOR ACCESS WERE MADE SEVERAL DAYS AGO BUT WE HAD RECEIVED NO REPLY. THIS HAS UNACCEPTABLE. CHARGE NOTED THAT THE U.S. TAKES CASES  
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INVOLVING ITS CITIZENS ABROAD VERY SERIOUSLY, AND WE COULD NOT UNDERSTAND WHY OUR REQUEST FOR ACCESS HAD NOT BEEN APPROVED. THE ISSUE WAS NOT CHINA'S RIGHT TO INVESTIGATE BUT ITS OBLIGATION TO GRANT ACCESS UNDER THE CONSULAR CONVENTION.

5. THE CHARGE NOTED THAT ALTHOUGH PENG WAS RESPONSIBLE FOR CONSULAR MATTERS, GIVEN CURRENT DIFFICULTIES IN U.S.-CHINA RELATIONS, IT WOULD BE MOST BENEFICIAL TO THE BROADER RELATIONSHIP IF CHINA WOULD AGREE TO RELEASE WU IMMEDIATELY AND SEND HIM BACK ACROSS THE BORDER TO KAZAKHSTAN. THIS WOULD BE A POSITIVE STEP AND WOULD HELP RESTORE MOMENTUM IN BILATERAL RELATIONS. IF CHINA COULD NOT AGREE TO RELEASE WU AT THIS TIME, THEN HE STRONGLY URGED THAT WE BE GRANTED IMMEDIATE ACCESS.

6. PENG REPLIED THAT THE US. REQUEST FOR ACCESS HAD BEEN CONVEYED TO THE RELEVANT AUTHORITIES BUT AS YET HE HAD NOT RECEIVED A REPLY. CHINA HAD ALWAYS ABIDED BY THE

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CHANNEL: n/a

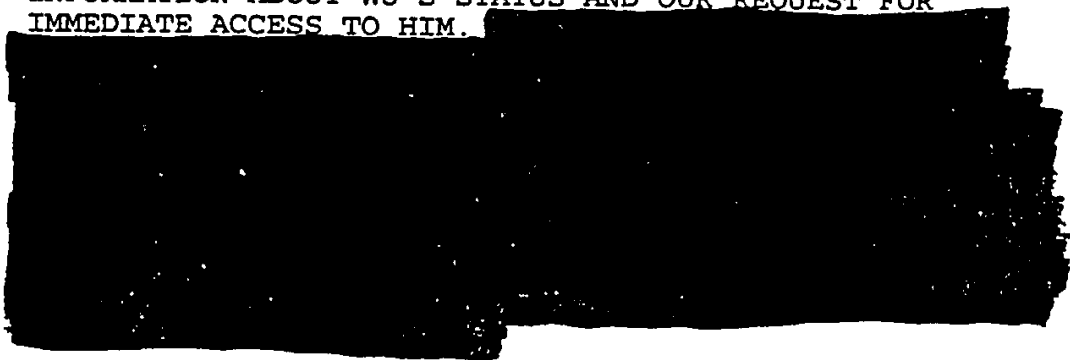
TERMS OF THE CONSULAR CONVENTION. AS FOR WU'S CASE, IT HAS STILL BEING INVESTIGATED. WU HAD ENTERED CHINA SEVERAL TIMES UNDER ASSUMED NAMES AND HAD VIOLATED CHINESE REGULATIONS BY TRAVELING TO CLOSED AREAS. AS FOR RELEASING WU, THIS HAS UP TO JUDICIAL AUTHORITIES WHO WERE INVESTIGATING THE CASE AND WOULD DECIDE IT FAIRLY ACCORDING TO CHINESE LAW.

7. CHARGE REITERATED THE HIGH LEVEL OF CONCERN EXPRESSED IN THE UNITED STATES ABOUT WU, FROM PRESIDENT CLINTON, THE CONGRESS, AND OTHERS. HE NOTIFIED PENG THAT AN EMBASSY CONSULAR OFFICER HAD LEFT FOR URUMQI, THE CAPITAL  
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OF XINJIANG PROVINCE, IN ANTICIPATION OF BEING GRANTED ACCESS TO WU. PENG THANKED THE CHARGE FOR THIS INFORMATION.

8. IN AN EARLIER CONVERSATION WITH U.S. AFFAIRS DIVISION CHIEF CHEN MINGMING WHICH TOOK PLACE BEFORE THE RECEIPT OF REF A, A/DCM HAD ASKED IF THERE HAS ANY FURTHER INFORMATION ABOUT WU'S STATUS AND OUR REQUEST FOR IMMEDIATE ACCESS TO HIM.



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ACTION OCS-06

INFO	LOG-00	AMAD-01	CA-02	CIAE-00	OASY-00	DODE-00	EAP-01
	EUR-01	FBIE-00	TEDE-00	INR-00	L-01	ADS-00	NSAE-00
	NSCE-00	SSO-00	SS-00	SA-01	DRL-09	/022W	
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O 291122Z JUN 95  
FM AMEMBASSY BEIJING  
TO SECSTATE WASHDC IMMEDIATE 9734  
INFO AMCONSUL SHENYANG  
AMCONSUL SHANGHAI  
AMCONSUL HONG KONG  
AMCONSUL GUANGZHOU  
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AMEMBASSY ALMATY  
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C O N F I D E N T I A L SECTION 02 OF 02 BEIJING 028303

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9. A/DCM NOTED THAT THE WU CASE HAS GETTING HIGH-LEVEL  
ATTENTION IN THE U.S., AND THE BEST WAY TO RESOLVE IT  
WOULD BE TO RELEASE WU.

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[REDACTED]  
A/DCM REPLIED THAT THERE HAS NO  
COMPARISON BETWEEN THE TWO CASES AND REITERATED THE  
IMPORTANCE OF ABIDING BY THE CONSULAR CONVENTION IN WU'S  
CASE. HALLFORD

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\*\*\* Current Handling Restrictions \*\*\* n/a  
\*\*\* Current Classification \*\*\* CONFIDENTIAL